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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,982	12/14/2001	Vincent Auffray	FR920000065US1	4957

45092 7590 11/23/2005

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EXAMINER

BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/016,982

Applicant(s)

AUFFRAY ET AL.

Examiner

William L. Bashore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/24/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to communications: amendment filed 9/16/2005, to the original application filed 12/14/2001, with foreign priority filing date of **12/20/2000**. IDS filed 10/24/2005.
2. The rejection of claim 11 under 35 U.S.C. 101 as directed to non-statutory subject matter has been withdrawn as necessitated by amendment.
3. Claims 1-12 pending. Claim 1 is independent.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-2, 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kikinis (hereinafter Kikinis), U.S. Patent No, 5,794,259 issued August 1, 1998.**

**In regard to independent claim 1**, Kikinis discloses filling in data on a displayed HTML form fetched from the Internet (Kikinin Abstract, column 2 lines 1-20, Figure 2).

Kikinis discloses control code in the form of a TSR program, or a plug-in module (typically downloaded) to a Web browser (a program component) (Kikinis column 3 lines 47-56).

Kikinis discloses that the plug-in is utilized for creation of bubble menus providing data to be filled in, said data pre-stored on a computer (typically contained in memory, i.e. hard drive, buffer, etc.). Data is then

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filled in the HTML form accordingly (Kikinis Figure 2, column 3 lines 35-36, 45-55, 59-63, column 4 lines 8-25).

**In regard to dependent claim 2**, Kikinis discloses a user perusing a form for accuracy, to which corrections can be made prior to uploading the completed HTML form to its destination (i.e. a server) (Kikinis column 2 lines 19-21, column 4 lines 5-9, also Figure 2 especially item 209).

**In regard to dependent claim 9**, Kikinis discloses filling in forms on the Internet, said forms comprising Web forms (Kikinis column 3 lines 15-30, 32-33). It is well established that Web pages on the Internet utilize the HTTP protocol (i.e. <http://www.uspto.gov>, etc.).

**In regard to dependent claims 10-12**, claims 10-12 reflect the computer system, program, and computer program product comprising computer readable instructions used for performing the methods as claimed in claim 1, and are rejected along the same rationale.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. **Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis.**

**In regard to dependent claim 3**, Kikinis does not specifically teach user authentication prior to display of an HTML form document. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kikinis to do this, since Kikinis teaches encryption and password protected access for user profiles (Kikinis column 4 lines 32-37), providing reasonable suggestion to the skilled artisan to extend user security for entering secure sites, providing the benefit of added security to sensitive Web sites (i.e. banking sites, etc.)

8. **Claims 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis as applied to claim 1 above, and further in view of Bhatia et al. (hereinafter Bhatia), U.S. Publication No. 2002/0154162 published October 24, 2002.**

**In regard to dependent claim 4**, Kikinis does not specifically teach scripting (script program). However, Bhatia teaches form fill in utilizing JavaScript (Bhatia paragraphs 0057, 0088). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Bhatia to Kikinis, providing Kikinis the benefit of JavaScript for increased platform independence.

**In regard to dependent claims 5-8**, Kikinis teaches categories of information (Kikinis Figure 2).

Kikinis does not specifically teach frames. However, Bhatia teaches HTML forms with frames (Bhatia paragraph 0076). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Bhatia to Kikinis, providing Kikinis the benefit of frames for a more pleasing visual appearance.

Bhatia teaches form fill in utilizing JavaScript (i.e. applets, etc.) (Bhatia paragraphs 0057, 0088).

***Response to Arguments***

9. Applicant's arguments filed 9/16/2005 have been fully and carefully considered but they are not persuasive.

Applicant argues on pages 6-8 of the amendment that Kikinis does not teach control code for requesting information. Applicant also argues that Kikinis does not teach a buffer memory, determining whether data is stored within said buffer, etc. (i.e. next to last limitation of representative claim 1).

It is respectfully noted that Kikinis's teaching of activation of a Hot Key for invoking a control component teaches a user requesting information through a user interface for obtaining user information (data) for form filling (Kikinis column 3 lines 58-67).

In addition, Kikinis's data is pre-stored (Kikinis column 4 lines 8-11), and it is well established in the relevant arts that memory buffers are extensively used for holding data. As per representative claim 1, a user determines that the needed data is prestored (i.e. in RAM memory, etc.), therefore said data is retrieved from buffer memory accordingly.

***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

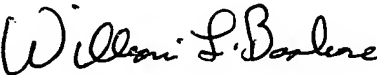
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**

November 20, 2005